

## Committee Agenda

Committee: Senate Health and Human Services  
Room: 412  
Date: Wednesday, February 9, 2011  
Time: 10:00 AM

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Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

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Department of Health - Report on Infant Mortality.

[SB 127](#)      **provide standards for electronic prescription transmission.**  
Senators Krebs, Kraus, Rave, and Schlekeway and Representatives Magstadt, Boomgarden, Jensen, and Munsterman

[SB 171](#)      **provide for the creation of housing with services establishments for persons with dementia.**  
Senators Krebs and Schlekeway and Representatives Feinstein, Abdallah, and Hunt

### BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

[SB 151](#)      **revise the grandfathering provisions of massage therapy licensure.**  
Senators Adelstein, Rampelberg, Rhoden, and Tieszen and Representatives Sly, Conzet, Gosch, Kirkeby, Kopp, Steele, and Verchio

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JEAN M. HUNHOFF, Chair

## Committee Agenda

Committee: Senate Local Government  
Room: 412  
Date: Wednesday, February 9, 2011  
Time: 7:45 AM

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Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

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[SB 59](#)      **revise certain provisions clarifying that counties are not responsible for constructing, repairing, and maintaining roads contained in improvement districts.**

Senators Lederman, Buhl, Holien, Krebs, and Sutton and Representatives Miller, Abdallah, Bolin, Boomgarden, Haggar, Hansen (Jon), Jensen, Kirkeby, Nelson (Stace), and Olson (Betty)

[SB 83](#)      **revise certain requirements relating to the publication of municipal ordinances and resolutions.**

Senators Tidemann, Cutler, Gray, Haverly, Hunhoff (Jean), Kraus, Lederman, Peters, Rave, and Schlekeway and Representatives Kirkeby, Abdallah, Brunner, Hunt, Jensen, Olson (Betty), Tornow, Turbiville, Verchio, Wick, and Willadsen

[SB 96](#)      **revise the fee schedule for certain documents filed with the county register of deeds.**

Senators Maher, Bradford, Nelson (Tom), Schlekeway, and Tieszen and Representatives Cronin, Feickert, Olson (Betty), and Rausch

[SB 98](#)      **revise certain provisions concerning the employment of a city manager and to declare an emergency.**

Senators Vehle and Bradford and Representatives Rozum, Carson, and Schrempp

[SB 155](#)      **revise the contents of the notice to the county where hospitalization is furnished to indigent persons.**

Senators Maher and Lederman and Representatives Russell and Tornow

[SB 175](#)      **provide for the participation of independent voters in primary elections.**

Senators Adelstein, Cutler, Holien, and Lederman and Representative Venner

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TODD SCHLEKEWAY, Chair

86<sup>th</sup> Legislative Session – 2011

Committee: Senate Retirement Laws

Wednesday, February 09, 2011

P - Present  
E - Excused  
A - Absent

Roll Call

P Buhl  
P Sutton  
P Tidemann  
P Nelson (Tom), Vice-Chair  
P Rampelberg, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chair Rampelberg.

MOTION: TO APPROVE THE MINUTES OF JANUARY 20, 2011

Moved by: Nelson (Tom)  
Second by: Buhl  
Action: Prevailed by voice vote.

Rob Wylie, Executive Director, South Dakota Retirement System, made introductions and gave some explanatory remarks prior to bill hearings. (handouts 1, 2, 3, & 4)

HB 1022: revise certain provisions regarding veterans credited service and benefits under the South Dakota Retirement System and under the South Dakota deferred compensation plan.

Presented by: Wade Hubbard, SD Retirement System

MOTION: DO PASS HB 1022

Moved by: Buhl  
Second by: Sutton

Action: Prevailed by roll call vote. (5-0-0-0)

Voting Yes: Buhl, Sutton, Tidemann, Nelson (Tom), Rampelberg

HB 1023: revise certain provisions regarding how South Dakota Retirement System survivor benefits and disability benefits are handled in regard to children.

Presented by: Wade Hubbard, SD Retirement System

MOTION: DO PASS HB 1023

Moved by: Tidemann

Second by: Sutton

Action: Prevailed by roll call vote. (5-0-0-0)

Voting Yes: Buhl, Sutton, Tidemann, Nelson (Tom), Rampelberg

MOTION: PLACE HB 1023 ON CONSENT CALENDAR

Moved by: Nelson (Tom)

Second by: Tidemann

Action: Prevailed by voice vote.

HB 1024: revise certain provisions regarding vacancies on the Board of Trustees of the South Dakota Retirement System.

Presented by: Wade Hubbard, SD Retirement System

MOTION: DO PASS HB 1024

Moved by: Nelson (Tom)

Second by: Tidemann

Action: Prevailed by roll call vote. (5-0-0-0)

Voting Yes: Buhl, Sutton, Tidemann, Nelson (Tom), Rampelberg

MOTION: PLACE HB 1024 ON CONSENT CALENDAR

Moved by: Nelson (Tom)

Second by: Buhl

Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Nelson (Tom)

Second by: Buhl

Action: Prevailed by voice vote.

Cindy Tryon  
Committee Secretary

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Bruce E. Rampelberg, Chair

## Committee Agenda

Committee: Senate State Affairs  
Room: 414  
Date: Wednesday, February 9, 2011  
Time: 10:00 AM

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### CONFIRMATION TO THE SOUTH DAKOTA ELLSWORTH DEVELOPMENT AUTHORITY

Reappointment of Stanley Porch, Wanblee, South Dakota  
Reappointment of Mark Roby, Watertown, South Dakota

[SB 193](#)      **authorize counties to issue additional on-sale licenses for certain facilities located on hunting preserves.**

Senators Gray, Brown, and Garnos and Representatives Cronin, Abdallah, Hoffman, Juhnke, Kirkeby, Perry, and Street

[SB 194](#)      **create a Wind Energy Competitive Advisory Task Force and to provide for the appointment of the task force members.**

Senators Gray, Brown, and Rave and Representatives Rausch, Gosch, and Solum

[SB 196](#)      **modify the ethanol production incentive payment, to create the ethanol infrastructure incentive fund, to appropriate money to encourage the use of ethanol, and to make transfers into the ethanol infrastructure incentive fund and the revolving economic development and initiative fund.**

The Committee on State Affairs at the request of the Office of the Governor

[SB 183](#)      **provide for the application of LEAN techniques to certain state agencies and to repeal the legislative review of state agencies.**

Senators Heineman, Brown, Gray, Haverly, Hunhoff (Jean), Johnston, Krebs, Novstrup (Al), and Olson (Russell) and Representatives Munsterman, Bolin, Kirkeby, Nelson (Stace), and Wick

### BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

[SB 79](#)      **provide for the application of LEAN techniques to certain state government processes and to provide for prioritization and oversight of the lean government program.**

Senators Johnston, Heineman, Krebs, and Peters and Representatives Munsterman, Nelson (Stace), and Perry

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LARRY RHODEN, Chair

## Committee Agenda

Committee: Senate Taxation  
Room: 423  
Date: Wednesday, February 9, 2011  
Time: 10:00 AM

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Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

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[SB 145](#)      **revise the provisions concerning the types of taxes that the state may enter into compacts with Indian tribes.**

Senators Maher and Bradford and Representatives Kirkeby and Schrempp

[SB 167](#)      **repeal certain sales tax exemptions for membership organizations.**

Senators Nygaard, Adelstein, Begalka, and Johnston and Representatives Bolin, Dryden, Elliott, Killer, and Nelson (Stace)

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TOM HANSEN, Chair

86<sup>th</sup> Legislative Session – 2011

Committee: Senate Transportation

Wednesday, February 09, 2011

P - Present  
E - Excused  
A - Absent

Roll Call

P Cutler  
P Hansen (Tom)  
P Krebs  
P Maher  
P Hundstad  
P Fryslie, Vice-Chair  
P Vehle, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Mike Vehle, Chair.

MOTION: TO APPROVE THE MINUTES OF MONDAY, FEBRUARY 7, 2011

Moved by: Krebs  
Second by: Hansen (Tom)  
Action: Prevailed by voice vote.

The gavel was passed to Senator Art Fryslie, Vice-Chair.

SB 177: increase certain registration fees and taxes for the use of motor vehicles on the public highways.

Presented by: Senator Mike Vehle (Handouts: #1)  
Proponents: Dick Howard, SD Association of Towns and Townships  
Bob O'Connell, Sioux Falls Area Chamber of Commerce (Handouts: #2)  
Bob Miller, Dakota Transit Association  
Cindy Foster, SD Association of Towns and Townships  
David Owen, SD Chamber of Commerce and Industry  
Rodney Stormo, self, Hayti



Representative Dennis Feickert  
Calvin Musch, self, Clear Lake  
Bob Wilcox, SD Association of County Commissioners  
Deb Mortenson, Associated General Contractors of SD  
James Puffer, SD Association of Towns and Townships  
Opponents: Darin Bergquist, Department of Transportation  
Dawna Leitzke, SD Petroleum and Propane Marketers Association (Handouts: #3)

MOTION: AMEND SB 177

177oa

On page 7, line 11, of the printed bill, delete "\$~~20~~ \$.25" and insert "\$.20".

On page 11, line 19, delete "\$~~20~~ \$.30" and insert "\$.20".

Moved by: Krebs  
Second by: Hansen (Tom)  
Action: Prevailed by voice vote.

MOTION: AMEND SB 177

177fa

On page 3, line 6, of the printed bill, delete "sixty-seven" and insert "eighty-two".

On page 3, line 8, remove the overstrikes from "£;" and before "£;" insert "from 8,001 to 20,000 pounds, inclusive, six dollars".

On page 3, line 9, remove the overstrikes from "~~(3)~~ For".

On page 3, delete line 14, and insert "pounds, twenty-four dollars a vehicle in excess of 20,000 pounds, the total license fee shall be forty-five percent of the total license fee established for commercial vehicles of equivalent weight pursuant to § 32-9-15.".

On page 5, between lines 22 and 23, insert:

" Section 9. That § 32-6B-23 be amended to read as follows:

32-6B-23. The department shall issue to any motorcycle dealer and trailer dealer licensed pursuant to this chapter metal number plates bearing a prefix of the letter "D" and containing a

distinguishing identification number of the licensee. The dealer shall make application to the department for the plates and pay a fee of ~~ten~~ fifteen dollars for each plate. One license plate shall be displayed on the rear of any motorcycle, or trailer, semitrailer, or travel trailer, owned by the dealer while traveling on a public highway. Any vehicle owned by the licensed dealer and bearing the dealers' metal plate may be operated on the streets and highways of this state for any purpose, including demonstration by a prospective buyer. All money collected pursuant to this section shall be distributed in the manner specified in § 32-11-2 and §§ 32-11-4.1 to 32-11-9, inclusive.

Section 10. That § 32-6B-36.3 be amended to read as follows:

32-6B-36.3. The department shall issue metal numerical license plates to an auction agency upon application and payment of a ~~forty-two~~ sixty-three dollar yearly fee to be paid at the time of the annual review date for each set desired. Such fees shall be distributed in the manner specified in §§ 32-11-2 and 32-11-4.1 to 32-11-9, inclusive. The license plates shall be numbered consecutively and shall bear as a prefix the number "99." The plates may be issued for a multiple year period. If an auction agency's license is revoked or canceled or the auction agency goes out of business, the "99" plates shall be returned to the department. If any person operates a motor vehicle with "99" plates after the auction agency's license is revoked or canceled or after the auction agency goes out of business, or if the person refuses to return the plates, the person is guilty of a Class 2 misdemeanor."

On page 6, line 6, delete "9" and insert "11".

On page 7, line 24, delete "eighty" and insert "one hundred".

On page 8, line 2, remove the overstrikes from "÷" and before "÷" insert "from 8,001 to 20,000 pounds, inclusive, ten dollars".

On page 8, line 3, remove the overstrikes from "~~(3) For~~".

On page 8, delete line 8, and insert "pounds, twenty-four dollars a vehicle in excess of 20,000 pounds, the total license fee shall be sixty percent of the total license fee established for commercial vehicles of equivalent weight pursuant to § 32-9-15.".

On page 10, between lines 13 and 114, insert:

" Section 19. That § 32-6B-23 be amended to read as follows:

32-6B-23. The department shall issue to any motorcycle dealer and trailer dealer licensed pursuant to this chapter metal number plates bearing a prefix of the letter "D" and containing a distinguishing identification number of the licensee. The dealer shall make application to the department for the plates and pay a fee of ~~ten~~ twenty dollars for each plate. One license plate shall

be displayed on the rear of any motorcycle, or trailer, semitrailer, or travel trailer, owned by the dealer while traveling on a public highway. Any vehicle owned by the licensed dealer and bearing the dealers' metal plate may be operated on the streets and highways of this state for any purpose, including demonstration by a prospective buyer. All money collected pursuant to this section shall be distributed in the manner specified in § 32-11-2 and §§ 32-11-4.1 to 32-11-9, inclusive.

Section 20. That § 32-6B-36.3 be amended to read as follows:

32-6B-36.3. The department shall issue metal numerical license plates to an auction agency upon application and payment of a ~~forty-two~~ eighty-four dollar yearly fee to be paid at the time of the annual review date for each set desired. Such fees shall be distributed in the manner specified in §§ 32-11-2 and 32-11-4.1 to 32-11-9, inclusive. The license plates shall be numbered consecutively and shall bear as a prefix the number "99." The plates may be issued for a multiple year period. If an auction agency's license is revoked or canceled or the auction agency goes out of business, the "99" plates shall be returned to the department. If any person operates a motor vehicle with "99" plates after the auction agency's license is revoked or canceled or after the auction agency goes out of business, or if the person refuses to return the plates, the person is guilty of a Class 2 misdemeanor."

On page 10, line 14, delete "11 to 18" and insert "13 to 22".

On page 12, line 3, delete "20 to 22" and insert "24 to 26".

Moved by: Hundstad  
Second by: Hansen (Tom)  
Action: Prevailed by voice vote.

The gavel was returned to Senator Mike Vehle, Chair.

MOTION: DEFER SB 177 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Vehle  
Second by: Hundstad  
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Cutler, Hansen (Tom), Krebs, Hundstad, Frysliie, Vehle

Excused: Maher

The gavel was passed to Senator Art Frysliie, Vice-Chair.

SB 99: revise the provisions that determine the amount of the motor vehicle registration fees that shall be applied based on the age of the vehicles.

Presented by: Senator Mike Vehle

Proponents: Dick Howard, SD Association of Towns and Townships  
Bob Wilcox, SD Association of County Commissioners  
Deb Mortenson, Associated General Contractors of SD  
Representative Dennis Feickert  
Cindy Foster, SD Association of Towns and Townships  
Rodney Stormo, self, Hayti

MOTION: DO PASS SB 99

Moved by: Krebs

Second by: Cutler

Action: Prevailed by roll call vote. (5-1-1-0)

Voting Yes: Cutler, Hansen (Tom), Krebs, Fryslie, Vehle

Voting No: Hundstad

Excused: Maher

MOTION: ADJOURN

Moved by: Hansen (Tom)

Second by: Krebs

Action: Prevailed by voice vote.

Rena Ortbahn  
Committee Secretary

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Mike Vehle, Chair